

In the Drawings:

Amend FIG. 1 to add the legend --Prior Art--. A replacement sheet for FIG. 1 showing the change is attached.

Attachment: Replacement Sheet for FIG. 1

REMARKS

Claims 1-19 are pending. Upon entry of this amendment, claims 1, 2, 4, 6-19, and 21 will be pending, claims 1, 2, 4, and 14 having been amended, claim 21 added, and claims 3 and 5 canceled. Claim 1 has been amended to include the limitations of now-canceled claims 3 and 5; claim 2, to update an antecedent basis; claim 4, to update its dependency; and claim 14, to correct informalities. Support for new claim 21 can be found in the specification, page 13, line 23, through page 14, line 6, and FIG. 2, for example. There are no issues of new matter.

The drawings stand objected to for FIG. 1 not including the legend "Prior Art." A replacement sheet for FIG. 1 that includes the legend is attached.

Claim 14 stands objected to as having informalities requiring correction. Claim 14 has been amended to correct the objected-to language.

Claims 1-4, 6, 9-12, and 14 stand rejected under 35 USC 102(b) as being anticipated by Rosa (US D452,594). Applicant traverses the rejection.

Claim 5 is not anticipated by Rosa, as indicated by its omission from the rejection. Amended claim 1 is not anticipated by Rosa at least by virtue of its amendment to include the limitations of claim 5. The dependent claims are also not anticipated by Rosa.

Claims 1, 2, 6, 7, 9-11, and 18 stand rejected under 35 USC 102(b) as being anticipated by White (US 6,175,988). Applicant traverses the rejection.

Claims 3 and 5 are not anticipated by White, as indicated by their omission from the rejection. Amended claim 1 is not anticipated by White at least by virtue of its amendment to include the limitations of claims 3 and 5. The dependent claims are also not anticipated by White.

Claims 3-5 stand rejected under 35 USC 103(a) as being unpatentable over White in view of Blase (US 4,800,613). Applicant traverses the rejection.

Claim 1 as amended recites a cleaning appliance that comprises a main body, a hose for carrying fluid to and from the main body, and a guide located on the main body to guide the hose

along a sinuous hose storage path around the periphery of the main body. The guide is located such that the hose storage path lies around at least part of the wheels, is closer to a base of the main body at the front and back of the main body, and increases in height from the base of the main body in the region of the wheels.

Applicant has discovered that, by providing a hose storage path that is sinuous around the periphery of the main body of the cleaning appliance, the hose length that can be stored is greater than the hose length that can be stored along a conventional planar hose storage path; the hose can be fitted more closely to the main body; and the hose need not lie outside of the wheels. See, e.g., the specification, page 2, line 22, through page 3, line 13.

In contrast, White discloses a vacuum cleaner 10 having a vertical storage path for a hose 32 that lies up and down the sides and across the top of the vacuum cleaner. See White, 3:19-32, FIGS. 1-4. The stored hose 32 extends from an attached position 15a at a support foot 14a of the vacuum cleaner 10, up one side of the vacuum cleaner, through a recess 26a at the top of the vacuum cleaner, and down the other side of the vacuum cleaner to a recess 15b in an opposite support foot 14b that receives the distal end of the hose. The support feet 14a, 14b and the recess 26a are not located on the vacuum cleaner 10 such that the hose storage path lies around at least part of the feet or is closer to the base of the vacuum cleaner at the front and back of the vacuum cleaner. Rather, White's support feet and recess are located such that the hose storage path lies perpendicular to, rather than around, at least part of the feet and such that the hose storage path is closer to the base at the sides, rather than at the front and back, of the vacuum cleaner. Moreover, there would have been no reason to modify White to provide Applicant's claimed guide so as to produce Applicant's claimed hose storage path, since White's feet and recess provide an effective vertical side-top-side hose storage path.

White's deficiencies are not overcome by Blase because Blase also fails to disclose or suggest Applicant's claimed guide located so as to produce Applicant's claimed hose storage path. Rather, Blase discloses a cleaning apparatus 20 having a horizontal storage path for a fluid

hose 28 that lies around a spool 152 at the top of the apparatus. See Blase, 6:39-53, FIGS. 1 and 6. Blase's spool 152 is not located such that the hose storage path lies around at least part of the apparatus' wheels or is closer to the base of the apparatus at the front and back of the apparatus. Rather, Blase's spool is located such that the hose storage path lies away from, rather than around, at least part of the apparatus' wheels and such that the hose storage path is closer to the top, rather than the base, of the apparatus. Moreover, there would have been no reason to modify Blase to provide Applicant's claimed guide so as to produce Applicant's claimed hose storage path, since Blase's spool at the top of the apparatus provide an effective horizontal hose storage path.

Since neither White nor Blase discloses or suggests Applicant's claimed guide, their combination also fails to do so. Claim 1 and its dependent claims are patentable over White in view of Blase.

Claim 19 stands rejected under 35 USC 103(a) as being unpatentable over Rosa in view of Martinez (US 2003/0145415). Applicant traverses the rejection.

As described above, claim 1 is not anticipated by Rosa because Rosa does not disclose or suggest Applicant's claimed guide as recited in claim 5. Moreover, there would have been no reason to modify Rosa to provide Applicant's claimed guide so as to produce Applicant's claimed hose storage path, since Rosa's design effectively provides a different hose storage path. Claim 1 is patentable over Rosa.

Rosa's deficiencies are not overcome by Martinez because Martinez also fails to disclose or suggest Applicant's claimed guide located so as to produce Applicant's claimed hose storage path. Rather, Martinez discloses a vacuum cleaner 100 having a horizontal storage path for a hose 104 that lies around the periphery of the vacuum cleaner. Engagement members 110 around the periphery of the vacuum cleaner 100 receive recesses 125 on the hose 104 in order to attach the hose to the vacuum cleaner. See Martinez, ¶¶[0023]-[0025], [0032], FIGS. 1-4. Martinez neither discloses nor suggests that its engagement members 110 are located on the

vacuum cleaner 100 such that the hose storage path lies around at least part of wheels or is closer to the base of the vacuum cleaner at the front and back of the vacuum cleaner. Rather, Martinez merely discloses that the hose can be wrapped around the vacuum cleaner as many times and with as many engagement members and recesses as needed. Moreover, there would have been no reason to modify Martinez to provide Applicant's claimed guide so as to produce Applicant's claimed hose storage path, since Martinez's objective is to provide devices to attach the hose to the vacuum cleaner, rather than to produce an effective storage path for the hose once attached.

Since neither Rosa nor Martinez discloses or suggests Applicant's claimed guide, their combination also fails to do so. Claim 1 and its dependent claim 19 are patentable over Rosa in view of Martinez.

New claim 21 is patentable over the cited references by virtue of its dependence from claim 1. Moreover, none of the cited references discloses or suggests a guide that is located on a cleaning apparatus' main body such that the storage path of the apparatus' hose curves around at least part of the apparatus' wheels.

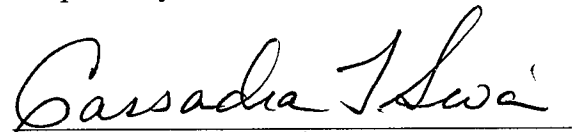
In view of the above, the pending claims are in condition for immediate allowance. The rejections should be withdrawn. A Notice of Allowance is requested.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 424662010300.

Respectfully submitted,

Dated: January 5, 2009

By:



Cassandra T. Swain, Ph.D.
Registration No. 48,361

Morrison & Foerster ^{LLP}
1650 Tysons Boulevard, Suite 400
McLean, Virginia 22102
Telephone: (703) 760-7706
Facsimile: (703) 760-7777